



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARC S. KIRSCHNER, as Trustee of the Refco
Litigation Trust,

Plaintiff,

- against -

GRANT THORNTON LLP et al.,

Defendants.

**STIPULATION AND
~~PROPOSED~~ ORDER**

No. 07 Civ. 11604 (GEL)

MARC S. KIRSCHNER, as Trustee of the Refco
Private Actions Trust,

Plaintiff,

- against -

PHILLIP R. BENNETT et al.,

Defendants.

No. 07 Civ. 8165 (GEL)

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the undersigned parties, that:

1. The above-captioned actions are stayed as against Robert Trosten, pending the final resolution of *United States v. Philip R. Bennett, Robert C. Trosten & Tone N. Grant*, No. 05 Cr. 1192 (NRB), including sentencing and the exhaustion of any appeals.
2. This stipulation does not modify the Deposition Protocol Order "so ordered" by the Court on December 11, 2007.

Dated: May 19, 2008
New York, New York

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Attorneys for Defendant Robert Trosten

SO ORDERED.

Dated: New York, NY

May 20, 2008
Gerard E. Lynch
Gerard E. Lynch, United States District Judge